

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Environmental Affairs, to which was referred Senate Bill No. 304, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, line 10, delete "On" and insert **"Except as provided in**
- 2 **subsections (c) and (d), on".**
- 3 Page 1, line 16, delete "(c)," and insert "(e),".
- 4 Page 2, between lines 4 and 5, begin a new paragraph and insert:
- 5 **"(c) Except as provided in subsection (d), if the board transfers**
- 6 **jurisdiction over part of a drain to a municipality or sanitary**
- 7 **district, the county treasurer shall transfer under subsection (b):**
- 8 **(1) the part of the balance in the maintenance fund established**
- 9 **under section 44 of this chapter that bears the same**
- 10 **proportion to the balance in the fund that the length of the**
- 11 **part of the drain transferred to the municipality or sanitary**
- 12 **district bears to the total length of the drain; and**
- 13 **(2) except as provided in subsection (e), the proportion**
- 14 **determined under subdivision (1) of any assessments for**
- 15 **periodic maintenance of the drain that:**
- 16 **(A) were imposed before the date on which the board**
- 17 **transfers jurisdiction of part of the drain; and**
- 18 **(B) are collected after the date on which the board**
- 19 **transfers jurisdiction of part of the drain.**
- 20 **(d) The board and a municipality or sanitary district to which**
- 21 **jurisdiction over part of a drain is transferred may agree in**

1 **writing to an apportionment of the maintenance fund and**
 2 **outstanding assessments different from the apportionment under**
 3 **subsection (c) based on disproportionate maintenance**
 4 **requirements between the part of the drain transferred and the**
 5 **part remaining under the jurisdiction of the board. Subject to**
 6 **subsection (e), a county treasurer who receives a written**
 7 **agreement under this subsection shall transfer under subsection (b)**
 8 **the amounts specified in the agreement."**

9 Page 2, line 5, delete "(c)" and insert "(e)".

10 Page 2, line 11, delete "(d)" and insert "(f)".

11 Page 2, line 19, delete "(e)" and insert "(g)".

12 Page 2, line 25, delete "(f)," and insert "(h)".

13 Page 2, line 30, delete "(f)" and insert "(h)".

14 Page 2, line 37, delete "(g)" and insert "(i)".

(Reference is to SB 304 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 7, Nays 0.

Senator Gard, Chairperson